

SENATE BILL NO. 39

BY SENATOR LAFLEUR

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS. Provides for the appointment of official court reporters. (8/15/09)

AN ACT

To enact R.S. 13:10.4, relative to official court reporters; to provide for the appointment of official court reporters; to provide for education requirements; to provide for restrictions; to provide for certification of transcripts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:10.4 is hereby enacted to read as follows:

**§10.4. Official court reporters; appointment**

**A. Notwithstanding any provisions of Chapter 32 of Title 37 of the Louisiana Revised Statutes of 1950, each judge of a city, ward, or district court shall have the authority to appoint, designate, and name an official court reporter. The person appointed to serve as the official court reporter shall be proficient and knowledgeable in the operation of any and all electronic equipment associated with the recordation of testimony in the courtroom and the acceptance and filing of related documents, exhibits, and other items not ordinarily recordable though electronic means.**

**B. The official court reporter shall be limited to providing transcripts of**

1 court proceedings at the direction of the presiding judge and shall be prohibited  
2 from serving as a general or free-lance reporter, except as provided by law. The  
3 official court reporter shall have authority to certify and confirm the integrity  
4 of any and all transcripts of proceedings from the court for which he is  
5 appointed. The presiding judge shall oversee and supervise the official court  
6 reporter to insure the proper recordation of testimony and transcription of any  
7 testimony taken in court.

8 C. Each person appointed as the official court reporter shall be required  
9 to obtain at least six continuing education credits during a period of two  
10 consecutive calendar years. All continuing education credits earned shall be  
11 reported to and approved by the presiding judge.

12 D. For the purposes of this Section, "general or free-lance reporter" shall  
13 mean a person engaged in the reporting and transcribing of depositions, sworn  
14 statements, or public hearings or proceedings, whether self-employed or  
15 through any business, firm, corporation or agency, engaged in the reporting of  
16 depositions, sworn statements, or public hearings or proceedings.

---

The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Michelle Ducharme.

---

#### DIGEST

Proposed law provides that notwithstanding the chapter of law regulating certified shorthand reporters as a profession, each judge of a city, ward, or district court shall have the authority to appoint, designate, and name an official court reporter.

Proposed law provides that the official court reporter shall be proficient and knowledgeable in the operation of any and all electronic equipment associated with the recordation of testimony in the courtroom and the acceptance and filing of related documents, exhibits, and other items not ordinarily recordable through electronic means.

Proposed law places limitations on the official court reporter by prohibiting the official court reporter appointed under proposed law from serving as a general or free-lance reporter, except as provided by law.

Proposed law provides that the official court reporter shall have authority to certify and confirm the integrity of all transcripts of proceedings from the court for which he is appointed.

Proposed law requires the presiding judge to oversee and supervise the official court reporter.

Proposed law mandates that the official court reporter appointed shall obtain at least six continuing education credits during a period of two consecutive calendar years. Continuing education credits shall be reported to and approved by the presiding judges.

Proposed law defines "general or free-lance reporter" as a person engaged in the reporting and transcribing of depositions, sworn statements, or public hearings or proceedings, whether self-employed or through any business, firm, corporation or agency, engaged in the reporting of depositions, sworn statements, or public hearings or proceedings.

Effective August 15, 2009.

(Adds R.S. 13:10.4)